

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

**JASON VON ESSER,**

**Plaintiff**

**v.**

**NANCY A. BERRYHILL,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant**

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**CIVIL ACTION NO. 3:16-2113**

**(D.J. MANNION)  
(M.J. SAPORITO)**

**FILED  
SCRANTON**

**APR 26 2018**

**ORDER**

PER

  
**DEPUTY CLERK**

In accordance with the memorandum issued this same day, **IT IS  
HEREBY ORDERED THAT:**

- (1) the report and recommendation of Judge Saporito, (Doc. 15), is ADOPTED IN ITS ENTIRETY;**
- (2) the decision of the Commissioner of Social Security denying the plaintiff's application for SSI benefits is VACATED;**
- (3) the plaintiff's appeal of the Commissioner's decision, (Doc. 1), is GRANTED;**
- (4) the instant action is REMANDED to the Commissioner for further proceedings consistent with Judge Saporito's report pursuant to sentence four of 42 U.S.C. §405(g); and**

(5) the Clerk of Court shall **CLOSE THIS CASE.**

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
United States District Judge

**Date: April 26, 2018**

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